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UNCLAS SECTION 01 OF 05 SANTO DOMINGO 003158

SIPDIS

SENSITIVE

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SUBJECT: DOMINICAN DEPORTATIONS OF HAITIANS - DEEPLY ROOTED
PROBLEMS REMAIN

REF: A. SANTO DOMINGO 02819

[1](#)B. SANTO DOMINGO 3004

[1](#)1. (SBU) SUMMARY: Repatriations of Haitians ceased after the May 9-12 round-ups and expulsion of about 1800 persons from the northwestern border areas, but conditions there remain largely unchanged. On June 6 vengeful Dominicans attacked sleeping Haitians in the same area, prompting further panic. Police have arrested the gang leaders, and the presidential spokesman and the Secretary of the Armed Forces have condemned vigilante violence. Dominican reactions and policy toward the approximately 700,000 undocumented Haitians in this country of 9 million are influenced by deep distrusts and resentments, inefficiencies, corruption and hardships in the market for unskilled labor. Migration Director Carlos Amarante Baret intends to publish and enforce regulations requiring that 80 percent of workers in Dominican enterprises be nationals. This impossible undertaking may be aimed partly at winning votes along the border for the president's party. END SUMMARY.

THE MAY ROUND UP

[1](#)2. (U) Dominican migration and military officials tell us they had already scheduled for early May a round-up of illegal Haitian immigrants in the northwestern border provinces. In the early morning hours of May 8 a Haitian worker in the town of Hatillo Palma killed his Dominican neighbor with a machete (reftel). News of the attack spread swiftly through Hatillo Palma and the surrounding provinces of Valverde and Monte Cristi and to the army's Fourth Brigade headquarters in the city of Mao. The army chief of staff quickly authorized extra funds to accelerate deportations, starting in Hatillo Palma, and army trucks were there by mid-morning that same day. Pressure had been building in that area for quite some time. In seven other incidents involving Haitians the local police had arrested culprits, but the justice system released them.

[1](#)3. (U) Vocal Catholic leaders in the border provinces opposed the dragnet-style deportations. The Archbishop of Mao/Monte Cristi Monsignor Abreu and Father Regino Martinez of Jesuit Service for Refugees based in Dajabon agree that events in Hatillo Palma forced the army to intervene, but Archbishop Abreu contends that the deportations were intended not to protect the Dominican population, but to give army and migration officials an opportunity to ransack homes and loot property. Shortly after the expulsions of 1800 individuals, Father Martinez assisted in the return of more than 150 of them who had a legal right to live and work in the Dominican Republic. Martinez says that migration officials were summary in their decisions and as a result they often deported Dominicans because they "look Haitian." In Santo Domingo, Cardinal Nicolas de Jesus Lopez Rodriguez commented only that the problem was "complex" and that the authorities must do something about it.

DUE PROCESS

[1](#)4. (SBU) During the operations, in any case, the army reportedly performed with restraint and prevented violence against Haitians at the hands of the townspeople. General Caceres Chistaro, commander of the 4th Brigade in Mao, says that some of his units were fired upon by unknown assailants during the deportations but did not return fire. Even if military conduct was disciplined, there remain questions about respect for due process for repatriations. In December, 1999 the first Fernandez administration signed the bilateral "Protocol of Understanding on Mechanisms for Repatriation" specifying conditions and procedures; non-governmental organizations produced and shared with the Embassy posters in Spanish and in Creole outlining these. Among other stipulations, the protocol reportedly prohibits government confiscation of property or documents, provides that each person repatriated will receive a copy of an individual order of repatriation, and that authorities will

provide to diplomatic representatives the lists of individuals being processed for repatriation. Anecdotes gathered at the scene (ref a) and from press reporting suggest that those measures were respected only partly if at all. Implementing regulations for the 2004 Migration Law may further amplify such requirements. In discussion with the DCM, Deputy Foreign Minister Alejandra Liriano said the administration is aware that there is a need to re-examine the bilateral commitments and specified procedures. (reb b)

THE DEMAND AND SUPPLY OF DESPERATE LABOR

15. (SBU) Illegal Haitian migrants have been flowing across the border for years and will probably continue as long as Dominicans employ Haitians in low-wage jobs in construction, tourism and agriculture. There are few statistics on the number of Haitians living in the Dominican Republic. President Fernandez has said in conversations with Embassy officials that of a population of 9 million in the Dominican Republic around 700,000 are Haitians living illegally in the country. In the area around Hatillo Palma, Monti Cristi Province, large numbers of illegal migrants work in the cultivation of organic bananas, which is labor intensive. Local residents told Embassy officials that Haitians working on the banana plantations earn about 125 pesos/day whereas Dominican workers demand 200 pesos/day. One resident in Hatillo Palma commented that the deportations had been successful from his point of view because the banana plantation owners did not have any Haitian workers and now had to hire Dominican workers.

16. (SBU) The Migration Department issues work permits for Haitian workers to local employers. Archbishop Abreu asserts that migration officials extort 1000 pesos per permit. Employers reportedly pass this cost onto the Haitian workers, who have to pay an illegal fee. The permit limits them to a region (for example, the Northern provinces or Santiago) and restricts the type of employment (construction, agriculture). Permits are valid for only 6 months or a year. At army and migration checkpoints throughout the country, officials threaten to confiscate the cards unless they receive a bribe. This may explain why many Haitian workers did not offer proper documentation during the latest round-up. Legal workers were afraid to present their permits for fear that they would be confiscated and/or destroyed; then they would have to start the whole, expensive process from the beginning.

17. (SBU) On the illegal side of immigration, "buscones" or informal labor market touts on both sides of the border arrange for workers to come across the border to work, typically in agriculture or construction. Illegal workers are generally men in their early to mid 20's. They are transported by bus or truck to the plantations where they work. They live on the plantations or in nearby towns in very simple rented dwellings. Once these illegal workers have settled into towns or "bateyes," they may encourage their families to join them in the Dominican Republic or send their earnings back to Haiti. This form of illegal migration will continue as long as there is a market for inexpensive labor in the Dominican Republic.

HAITIAN LABOR: USERS AND DEFENDERS

18. (U) Dominican farmers and businesses encourage Haitians to immigrate illegally so the enterprise can pay less for labor. Haitians are perceived to be more diligent than Dominicans. Recent closings and layoffs at Dominican manufacturing firms (especially in textile factories) in free zones have caused higher unemployment and discontent in the Santiago region. Racism also plays a part in Santiago's Cibao Valley, as the general population in the Santiago area considers itself "whiter" than that elsewhere. Civil disorder in Haiti adds to immigration tensions.

19. (U) Many sectors of the Dominican economy depend on Haitian labor. During the boom years of the economy (1995-2001), construction starts soared and Haitian workers provided the basic labor at low cost. Throughout the history of Dominican-Haitian relations, Dominican sugar growers have contracted Haitians to work in the cane harvesting in the southwestern and eastern provinces of the Dominican Republic. A recent report on Haitian migration from the International Organization for Migration (OIM) documents the shift of Haitian labor into construction, the tourism sector, and domestic work. On June 3 Jose Rodriguez, president of the builders' association ACOPROVI called for the authorities to control the borders but nevertheless to permit continued use of Haitian labor for construction. At the same time the Rice Growers Federation stressed that the sector must have Haitian labor to harvest the crop.

THE ANTI-HAITIAN ATTITUDE

110. (SBU) Dominican resentment of Haitians goes back for centuries. Dominicans celebrate their independence on

February 27, the anniversary of independence from Haitian rule in 1844, instead of commemorating the wars of liberation from Spanish rule. Associated with this feeling is an acute sensibility to race and skin color. For example, Dominican drivers' licenses require identification according to 5 shades of skin color. School children often create nicknames based on color. U.S. citizens of African heritage have been turned away when seeking access to nightclubs in the capital.

11. (SBU) Some Dominicans, especially military officers, blame the lack of Haitian border controls on the disbanding of Haitian Army in 1994. Though a seriously flawed institution, the Haitian Army is viewed as having prevented or slowed Haitian immigration, albeit through corrupt methods. Many Dominicans dismiss the Haitians as a savage people capable of unpredictable acts of cruelty, and the machete attack in Hatillo Palma touched upon this fear.

12. (SBU) Father Martinez of the Jesuit Service for Refugees told officers that as many as 55 children and adults were deported because they looked Haitian, even though the deportees had never lived in Haiti. As if to reinforce this point, Gen. Guerrero Clase, head of Dominican airport security (CESA), recently told an Embassy official that in a previous round up his Dominican cousin had been mistakenly deported to Haiti simply because of his dark skin color.

A PROCEDURAL AND POLITICAL ISSUE

13. (SBU) Carlos Amarante Baret, Director General de Migracion, told an Embassy official that though the military is in charge of border areas, the Migration Service is responsible for internal controls. Migration officials directed operations with the assistance of the military. Amarante confirmed that around 1800 Haitians were deported during their May 8-11 operation. He said he had stacks of fraudulent documents confiscated from deportees. According to him, officials fed the Haitians before sending them by bus to the border. Amarente Baret says that the authorities collected and stored the property of the deportees. When pressed further on process, Amarante did not assert that the Haitians were given hearings and made no mention of paperwork processed before their deportations. General Caceres Chistaro told us earlier that all those apprehended were interviewed by Migration officials.

14. (SBU) Amarante Baret considers that illegal Haitian workers pose a threat to Dominican tourism, including as a vector for disease such as malaria. He commented that the public perceives that there are too many Haitians in the country, even though there are no official statistics on the number. His internal control operations focus on Haitians that are loiterers and street vendors, he says, and Migration usually avoids deporting Haitians working productively in construction or agriculture -- with the obvious exception of the incident at Hatillo Palma. This strategy in deportations will change after June 2005 when President Fernandez signs the regulations prepared for implementation of the 2004 Immigration Act. The new regulations specify that Dominican businesses may employ foreigners for only 20 percent of their workforce; the rest must be Dominican. The Migration Director plans to hold meetings with business leaders to explain these new limits on hiring foreigners. He feels that Dominican businesses have been exploiting the Haitians, first by hiring them at low wages and then by using the migration service to deport them if they object to substandard wages.

MOST RECENT VIOLENCE

15. (U) The border area until early this week appeared to have returned to normal. The bi-weekly market in Dajabon took place on Mondays and Fridays as usual. There were violent incidents -- a total of four Haitians were reported to have died by stabbings or beatings in Puerto Plata and rural areas -- but there was no clear connection to the Hatillo Palma incidents. Then, early in the morning of June 6, a group of Dominicans in Hatillo Palma invaded a farm late at night, killed two Haitians, including an aged evangelical preacher who had lived in the community for 30 years, and injured four others. This gang action was certainly in retribution for the May 9 killing of the Dominican storeowner; at the same time it may have been planned violence pressuring the Haitian community to leave. One survivor of the attack identified some of the assailants. The local district attorney is investigating. As of June 8, the police had arrested 5 Dominicans allegedly involved in the attack, including the brother-in-law of the murdered storekeeper, and they were looking for four more. According to the press, within hours of the attack, the military was again present in the area. Despite press reports to the contrary, there has been no further resort to large-scale roundups; the military appears to have taken some Haitians into protective custody. The military and migration officials responsible for the area met on June 8 but took no decision to act.

16. (U) On June 8 presidential press spokesman Rafael Nunez deplored the attack on the Haitians and warned that no one would be permitted to take the law into his own hands. 8The government does not support this attitude, on anyone,s part.8 He said that the judicial authorities and police are seeking those responsible in order to bring them to justice. Nunez rejected the suggestion that the authorities were seizing Haitian property: &The government cannot act the way some Dominicans have, taking reprisals against Haitians; they are human beings and we should respect their rights.8

17. (U) Cardinal Nicolas Lopez Rodriguez called on the authorities to take the problem seriously, so as to avoid serious consequences. &Many Dominicans are very bothered because Haitian labor competes with their own and is displacing them.8 The non-governmental Dominican Committee on Human Rights and a Haitian defense group issued a statement condemning the &wave of racism, xenophobia and anti-Haitian violence existing in the country.8 Father Christopher Hartley, parish priest for communities associated with the sugar plantations east of Santo Domingo, publicly expressed his concern that since the cane harvest is nearing its end, there might be plans for massive repatriations from that area of the country.

18. (U) Hatillo Palma Mayor Joselyn Espinal told a journalist that townspeople had returned to their usual occupations but that they were afraid. "Attitudes have changed a lot here, and the Dominicans don't want to go back to their farms for fear of reprisals from the Haitians." Townspeople staged a march on June 9, the one-month anniversary of the attack on the storekeeper, demanding that the authorities bring to justice the attackers currently imprisoned in Mao.

COMMENT

19. (SBU) There is no easy solution to this cycle of revenge, hunger, search for employment, and resentment. The Dominican military and migration authorities are operating on an ad hoc basis, while awaiting the approval of regulations for implementation of the 2004 Migration Law. There are also political forces at work. As the country approaches the run-up to the 2006 Dominican congressional elections, the administration and security authorities have publicly rejected violence. However, President Fernandez's political party, the Partido de la Liberacion Dominicana (PLD), might be interested in using the Haitian deportation issue to win over Dominican voters as they seek the 10 senatorial seats for provinces near the Haitian border. With increased job losses in free trade zone areas and higher unemployment, deportations could attract voter sympathies there. The PLD would very much like to win back some of the 28 senate seats held by the principal opposition party, the Partido Revolucionario Dominicano (PRD).

18. (U) Drafted by Mark Kendrick, Michael Meigs

19. (U) This piece and others can be consulted on classified SIPRNET site <http://www.state.sgov/p/wha/santodomingo/> along with extensive other material.
Kubiske